

### **REMARKS**

In response to the Supplemental Office action dated April 16, 2008, and the Office action of January 9, 2008, Applicants respectfully request reconsideration based on the above amendments and following remarks. Applicants respectfully submit that the claims as presented here are in condition for allowance.

Claims 1-15 are pending in the present application. The Examiner has previously acknowledged Applicants' election of claims 1-4, and therefore, claims 5-12 have been previously withdrawn from consideration. Claims 1-4 and 13-15 remain pending for further consideration upon entry of the present response.

Claim 1 has been amended and new claim 15 has been added. Support for the amendment to claim 1 and new claim 15 may be found throughout the specification and figures as filed, specifically in FIGS. 4, 11C and 12D. No new matter has been added. Applicants respectfully request reconsideration of claims 1-4 and 13-15 based on the above amendments and following remarks.

### **Claim Rejections Under 35 U.S.C. §103**

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing a *prima facie* case of obviousness, i.e., that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Claims 1-4 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Kim (U.S. Patent No. 6,091,466, hereinafter "Kim '466") in view of Kim (U.S. Patent No. 6,624,871, hereinafter "Kim '871"). The Examiner states that Kim '466 discloses all of the elements of claims 1, 13 and 14. The Examiner states that Kim '466 discloses all of the elements

of claims 2-4 except, *wherein the data wire comprises an upper film of Al or Al alloy*, which the Examiner further states is disclosed primarily in FIG. 4A, column 4, lines 28-31 of Kim '871.

Applicants respectfully traverse.

First, Applicants respectfully note that the Examiner alleges that Kim '466 discloses all of the elements of claims 1, 13 and 14. The Examiner does not rely upon any other cited reference or the knowledge available to one of ordinary skill in the art in order to make the rejection. Therefore, Applicants regard the rejection of claims 1, 13 and 14 as an anticipation rejection. Applicants invite the Examiner to provide further clarification with respect to this rejection in further Office actions.

Kim '466 discloses a liquid crystal display having a dummy drain electrode and a method for manufacturing the same. The liquid crystal display includes a first substrate 101 having a gate electrode 111 and a gate line 113, the gate line including a gate line 113 and a low resistance gate line 113a. A gate insulating layer 117 is disposed over the gate electrode 111 and the gate line 113. Semiconducting layers 133 and 133a are disposed over the gate insulating layer 117. Heavily doped semiconducting layers 135 and 135a are then disposed on the semiconducting layers 133 and 133a, respectively. Source and drain electrodes, 121 and 131, respectively, are then disposed on opposite sides of the gate electrode 111, the drain electrode 131 contacts a dummy drain electrode 139. The dummy drain electrode 139 is formed on the substrate 101 from the same material as the gate line 113 and the gate electrode 111.

However, Kim '466 does not disclose, teach or suggest: **an etching assistant pattern made of the same layer as the semiconductor layer and located out of an area enclosed by the gate lines and the data lines**, as claimed in amended independent claim 1.

According to amended claim 1, the etching assistant pattern is located out of an area enclosed by the gate lines and the data lines. However, as can clearly be seen in FIGS. 5C-6B, the semiconducting layer 133a of Kim '466, which the Examiner alleges is equivalent to an etching assistant pattern as claimed, does not disclose or suggest this feature.

The Examiner introduces Kim '871 to allegedly teach a data wire comprising an upper film of Al or Al alloy as claimed in dependent claim 2. However, the alleged teaching of a data wire comprising an upper film of Al or Al alloy does not cure the defects of Kim '466 noted above with respect to independent claim 1. Specifically, neither Kim '466 or Kim '871 disclose,

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teach or suggest: or suggest: **an etching assistant pattern made of the same layer as the semiconductor layer and located out of an area enclosed by the gate lines and the data lines** as claimed in amended independent claim 1.

Therefore, it is respectfully submitted that neither Kim '466 nor Kim '871, either alone or in combination, teach or suggest, an etching assistant pattern having a thickness different than a thickness of the semiconductor layer, as in claim 1. Thus, independent claim 1, including claims depending therefrom, i.e., claims 2-4 and 13-15, define over Kim '466 in view of Kim '871.

Accordingly, it is respectfully requested that the rejection to claims 1-4, 13 and 14 under § 103(a) be withdrawn and allow claims 1-4 and 13-15 to issue.

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**Conclusion**

In view of the foregoing remarks distinguishing the prior art of record, Applicants submit that this application is in condition for allowance. Early notification to this effect is requested.

The Examiner is invited to contact Applicants' Attorneys at the below-listed telephone number regarding this Amendment or otherwise regarding the present application in order to address any questions or remaining issues concerning the same.

Applicants hereby petition for any necessary extension of time required under 37 C.F.R. 1.136(a) or 1.136(b) which may be required for entry and consideration of the present Reply. If there are any charges due in connection with this response, please charge them to Deposit Account 06-1130.

Respectfully submitted,

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